GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities in execution of works under NREGS Scheme taken up in plain areas of Visakhapatnam District – Disciplinary proceedings against Sri D.V.L.Babu, AE, PRI Division, Narsipatnam under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 687 **Dated: 11-07-2016**
Read the following:

1. DG, GA (V&E) Department, Vigilance Report No.32 (C.No.685/V&E/E2/2013), Dt.27.11.2014.

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ORDER:-

It is proposed to hold an inquiry against Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam,
through Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Hyderabad
(with a request to serve the charges to the individual and furnish a served copy to Government).
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

Annexure – I

Statement showing the article of charges framed against Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam

Charge-1

That Sri D.V.L.Babu, Assistant Engineer, PRI Sub-Division, Payakaraopeta has involved in allegations of irregularities in execution of following seven works forwarded fabricated works/bills for payment and allowed contractors in execution of NREGS works.

Work 1: Providing CC Road and drains to SC & ST colonies at Tatituru SC colony

Work 2: Road from BN road to Gudilova temple road

Work 3: Road for un-connected habitations 2011-2012 connecting from Ananthavaram - Alamanda R&B road to Tunipolam

Work 4: Formation of link road includinq CD works from Ethirajupalem @ Peddipalem to Uddandapurarn NH-5 (S.C.Locality)

Work 5: Road from NH-5 to Appalapayakaraopeta

Work 6: Providing internal roads with CC road and drains in Indirarnma SC&ST Colony at Darlapudi

Work 7: Formation of road up to WBN Grade-II surface including CD works from Revupolavaram (R&B) road to Allumiyapalem

By his above mentioned act, Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct in support of Article of Charges framed against Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam.

The Vigilance & Enforcement Department vide their report No.32 (C.No.685/V&E/E2/2013), dt.27-11-2014 has verified the works taken up under MGNREGS in plain areas of Visakhapatnam District from 26-11-2013 to 04-12-2013 and made the following observations for the following works:

Work No.1: Providing CC Road and drains to SC & ST colonies at Tatituru SC colony

The work was technically sanctioned vide DR No.154/11-12, dt.31-01-2012 for Rs.25.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. Executed the CC pavement work without conducting Mix design for M-30 grade concrete resulted in poor quality of work.

ii. The strength of M15 grade concrete used for retaining and drain walls and M 30 grade for CC pavement is not satisfying the required strength criteria and hence liable for rejection. An amount of RS.4,95,499/- (Rs.419381+76118/-) and Rs.2,05,009/- is proposed as recovery towards substandard execution of work.

iii. The lesser utilization of cement in concrete works to an extent of 262 bags reflects the poor quality work executed by the field officers.

iv. A total amount of Rs.17.68 lakh was paid to the contractor Sri V.Ramesh Babu, Bheemunipatnam who executed the work. Though the purchase bills were shown in the name of Gram Panchayat, the payment was done by the contractor indicating that all the materials were purchased by Sri V.Ramesh Babu. As such issuing the bills in the name of Grampanchayat, Tatituru after making the payment by 3rd party is irregular.

v. The Executive Engineer, PRI, Visakhapatnam failed to check measure the work as per codal provisions and issued pass-order for release of payments without satisfying himself on either quality or mode of execution of the work.

Work 2:Road from BN road to Gudilova temple road

The work was technically sanctioned vide DR No.84/11-12, dt.20-01-2012 for Rs.15.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. The way of maintenance of muster rolls done by the field staff clearly shows that they are false and fabricated.

ii. Without conducting the laboratory tests and taking the test results for the materials, allowing for compaction of the earthen formation & GSB layers is not correct.

iii. The test reports revealed that the PI value of granular sub base sample at Km 1/063 is 17% against the specified value of below 6% indicates the non-conformity of gradation of the granular sub base. This is the result of having not mixed sand with the Gravel material during the execution. As such the reported recording of sand collection by the field staff is far from the truth. As The GSB layer in 2nd km is liable for rejection and an amount Rs.4,62,177/- is proposed as recovery.

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iv. The oversize in metal on 63 mm sieve observed in 2nd km is found to be 31.49% which is beyond the tolerance limit of 80% and is liable for rejection. An amount of Rs.4,25,633/- is proposed as recovery.

v. Negligence in recording the relevant certificates for light jungle clearance and thandoo's removal in the work M.Books clearly reflected the lethargic attitude and the work style of the field officers. The recording of similar measurements for light jungle and high berm cutting for the entire 2.00 km length of road is not feasible and practicable.

vi. Less recovery of Seigniorage fee of Rs.17,834/- is to be recovered from the work.

Work 3: Road for un-connected habitations 2011-2012 connecting from Ananthavaram - Alamanda R&B road to Tunipolam

The work was technically sanctioned vide DR No.75/11-12, dt.12-01-2012 for Rs.25.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. As per the NREGS guidelines the maximum length of CD work to be executed is 6.00mt only where as the vented cause way constructed in this work stood around 25.00m length, costing Rs.9.60 lakhs against the total sanctioned cost of Rs.25.00 lakhs which is 38% of sanctioned value.

ii. The strength of M 30 grade for CC causeway is not satisfying the required strength criteria and hence liable for rejection. An amount of Rs.1,41,428/- is proposed as recovery.

iii. Cement purchase bills were observed to be fake and fabricated. The Executive Engineer, PRI, Visakhapatnam passed the bills without proper scrutiny of the vouchers & bills.

iv. The type of discrepancies in the muster rolls indicate that the musters were not taken in the field as supposed to be and are take and fabricated.

v. It is clearly evident that the field officers are getting the works done through the regular contractor under the guise of supply of materials and skilled labour to the works which is not correct.

vi. The Executive Engineer, PRI, Visakhapatnam failed to check measure the work as per codal provisions and issued pass order for release of payment without ensuring the quality of work executed.

Work 4:Formation of link road includinq CD works from Ethirajupalem @ Peddipalem to Uddandapurarn NH-5 (S.C.Locality)

The work was technically sanctioned vide CR No.103/09-10, dt.10-03-2010 for Rs.35,59,063/- of the SE, PR, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. The statements of work executive member and the villager of Gopalapatnam revealed that the work was executed through contractor defeating the norms of MGNREGS

ii. The test results reflected that GSB is non plastic.

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iii. There is a discrepancy in the recorded pre-measurements and measurements of high berm cutting. The veracity of the earth work recordings are doubtful

iv. Putting anti-dates in recording/ check measurement of WBM layer & collection of gravel is basic violation of the codal provisions.

Work 5:Road from NH-5 to Appalapayakaraopeta

The work was technically sanctioned vide DR No.67/DB, dt.13-01-2012 for Rs.18.00 lakhs of EE, PRI, Narsipatnam under MGNREGS grant.

Findings of the V&E

i. The test results of GSB material indicates that proper gradation was not followed and the plasticity index is found to be 28% which is much higher than the required value of 6% indicating that granular sub base is executed without mixing of sand with gravel.

ii. Liquid Limit of 45% is beyond the tolerable limit of 25% as per Table 400-2 of MORTH. The sand collection was recorded without actually executing in the field.

iii. The GSB layer failed to satisfy the required plasticity index value and hence liable for rejection. An amount of Rs.3,60,218/- is to be recovered towards the value of the rejected quantity of the work.

Work 6:Providing internal roads with CC road and drains in Indirarnma SC&ST Colony at Darlapudi

The work was technically sanctioned vide DR No.67/DB, dt.31-01-2012 for Rs.25.00 lakhs of EE, PRI, Narsipatnam under MGNREGS grant.

Findings of the V&E

i. As per NREGS guidelines, the Executive Engineer should inspect the site before issuing Technical sanction. If any, discrepancy observed in sanctioned list of works, the Executive Engineer should inform to the administrative authority for rectification. But the work was executed where only four families were living which leads to a wasteful expenditure to Govt. Exchequer.

ii. The strength of M 30 grade for CC pavement Road No. I & III is not satisfying the required strength criteria and hence liable for rejection. An amount of Rs.2,84,914/- is to be recovered towards the value of the rejected quantity of the work.

iii. An amount of Rs.2,304/- is proposed as recovery towards shortage in length of CC pavement road No. XIII.

iv. The Executive Engineer, PRI, Narsipatnam failed to check measure the work as per codal provisions and issued pass-order for release of payment without satisfying himself on the quality of work.

v. The cracks should be rectified immediately and should be treated otherwise the road surface gets spoiled.

Work 7:Formation of road up to WBN Grade-II surface including CD works from Revupolavaram (R&B) road to Allumiyapalem

The work was technically sanctioned vide CR No.6/2011-12, dt.18-01-2012 for Rs.50.00 lakhs of SE, PR, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. The working estimate is approved by changing the classification of soil and allowing machinery for earth work excavation in place of manual labor which is irregular, defeating the NREGS norms of providing employment to the local unskilled labour for their livelihood.

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ii. The Executive Engineer, PRI, Narsipatnam violated the norms as per para 294 of APWD code and Memo No.42243/Estl(i)/99/2, dt.09-02-2000 of Spl. Chief Secretary to Govt., PR&RD, .Hyderabad in not check measuring the works costing more than Rs.5.00 lakhs.

iii. The location along the road for gravel excavation exhibits that the gravel is not brought from outside the quarry.

iv. The GSB layer failed to satisfy the required plasticity index value and hence liable for rejection. An amount of Rs.2,95,848/- is to be recovered towards the value of the rejected quantity of the work.

v. An amount of Rs.3,06,516/- is to be recovered towards non-utilization of tractor grader in leveling of earth work.

vi. OMC Compaction of earth and GSB are recorded without knowing the MDD value of earth and GSB is impossible. Failure in conducting the quality verification tests results in laying of poor quality earthen embankment and GSB layers without proper compaction.

vii. Verification of levels on the next of day of taking levels with the same height of collimation is not possible.

viii. Discrepancy in the muster rolls exhibits that the muster rolls are fabricated.

ix. Huge payments to Ch.Srinivasa Rao, contractor reveals that the work was executed through him.

The individual has deviated the office procedure for his personal gain and allowed the following in violation of APCS rules.

i. Forwarded fabricated vouchers/bills for payment

ii. Allowing contractors in execution of NREGS works

By his above mentioned act, Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – III

List of documents by which the articles of charges framed against Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam are proposed to be sustained.

1. Vigilance Report No.32 (C.No.685/V&E/E2/2013), dt.27-11-2014 of Vigilance & Enforcement Department.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charges framed against Sri D.V.L.Babu, Assistant Engineer, PRI Division, Narsipatnam are proposed to be sustained.

-NIL-

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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SECTION OFFICER